

CHADBOURNE
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June 8, 2011

Craig Minor
Courtroom Clerk to The Honorable David N. Hurd
U.S. District Court
Northern District of New York
Alexander Pirnie Federal Building and U.S. Courthouse
10 Broad Street
Utica, NY 13501

Re: *Utica Mutual Insurance Company v. Fireman's Fund Insurance Company*,
No. 6:09-CV-0853 (DNH/GHL)

Dear Mr. Minor:

This Firm represents Defendant Fireman's Fund Insurance Company ("Fireman's Fund") in the above action.

Counsel for both parties would like to schedule a conference call with you on Thursday, June 9, at 4:30 p.m. or later that day or anytime after 1 p.m. on Friday, June 10.

The purpose of our call is to request clarification of the due date docketed for FFIC's Response to Utica's Motion Seeking Certification of May 13, 2011 Order for Interlocutory Appeal. Fireman's Fund questions whether the June 20th date as docketed should rather be June 21. Also, Fireman's Fund questions whether Utica's motion is dispositive and thus whether Utica is entitled to a Reply.

Please let us know if your schedule will accommodate a call on either of these days.

Sincerely,



Mary A. Lopatto

VIA ECF

cc: Walter J. Andrews

(VIA ECF)